

01-17-02

Customer Number: 000959 **A**

**DIVISION CONTINUATION APPLICATION TRANSMITTAL FORM**  
**UNDER RULE 1.53(b) (former Rule 1.60)**

|               |   |           |  |  |
|---------------|---|-----------|--|--|
| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: |           | PRIOR APPLICATION SERIAL NUMBER:<br>09/267,839 | PRIOR APPLICATION FILING DATE:<br>MARCH 12, 1999 |
| WSV-374CPCN   | CLASS:  | SUBCLASS: | EXAMINER: BERCH, M.                            | ART UNIT: 1624                                   |

COMMISSIONER FOR PATENTS  
 BOX PATENT APPLICATION  
 WASHINGTON, DC 20231

**CERTIFICATION UNDER 37 CFR 1.10**

Date of Deposit: January 14, 2002

Mailing Label Number: EL 931674948 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Larry Taylor

Name of Person Mailing Paper

*[Signature]*  
 Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/267,839 filed on March 12, 1999, of Jiri Zemlicka, et al. entitled 2-HYDROXYMETHYLCYCLOPROPYLI-DENEMETHYLPURINES AND-PYRIMIDINES AS ANTIVIRAL AGENTS which in turn is a continuation-in-part application of serial no. PCT/US98/00440 filed on January 7, 1998, designating the United States, which claims priority from U.S. Serial No. 60/035,826, filed January 8, 1997 and U.S. Serial No. 60/045,676, filed May 6, 1997, all of which are hereby expressly incorporated by reference.

1. ☒ Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:

- ☒ 50 page(s) of specification  
☒ 4 page(s) of claims  
☒ 1 page(s) of abstract  
☒ 5 sheet(s) of drawing  
☐ page(s) of declaration and power of attorney.

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 09/267,839 as originally filed on March 12, 1999.

2. ☒ Applicant claims small entity status. See 37 CFR 1.2.

3. ☒ The filing fee is calculated below:

|   | NUMBER OF CLAIMS FILED |       |       | NUMBER EXTRA |
|---|------------------------|-------|-------|--------------|
| TOTAL   | * 19                   | MINUS | ** 20 | = 0          |
| INDEP.  | * 4                    | MINUS | *** 3 | = 1          |
| <input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS |                        |       |       |              |

| SMALL ENTITY |          |
|--------------|----------|
| RATE         | FEE      |
| x 9 =        | \$0.00   |
| x 42 =       | \$ 42.00 |
| +140 =       | \$140.00 |
| BASIC FEE    | \$370.00 |
| TOTAL        | \$552.00 |

| OTHER THAN A SMALL ENTITY |        |
|---------------------------|--------|
| RATE                      | FEE    |
| x 18 =                    | \$0.00 |
| x 84 =                    | \$0.00 |
| + 280 =                   | \$0.00 |
| BASIC FEE                 | \$0.00 |
| TOTAL                     | \$0.00 |

The PTO did not receive the following listed item(s) Check Amount \$552

J1046 U.S. PTO  
 10/047202  
 01/14/02

4. ☒ The Commissioner is hereby authorized to charge any additional fee which may be required in connection with this communication, or credit any overpayment, to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.
5. ☒ A check in the amount of \$552.00 is enclosed for payment of the filing fee.
6. ☒ Cancel in this application original claims 2-28 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)
8. ☒ Amend the specification by inserting before the first line the sentences: "This application is a continuation application of application no. 09/267,839 filed on March 12, 1999, pending, which in turn is a continuation-in-part application of serial no. PCT/US98/00440 filed on January 7, 1998, designating the United States, which claims priority from U.S. Serial No. 60/035,826, filed January 8, 1997 and U.S. Serial No. 60/045,676, filed May 6, 1997. The contents of all of the aforementioned application(s) are hereby incorporated by reference."
9. ☐ Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)
10. ☒ Transfer the drawings from the pending prior application to this application.
11. ☐ Priority of application serial no. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. §119.
  - ☐ The certified copy has been filed in prior application serial no. \_\_\_\_\_ filed on \_\_\_\_\_.
  - ☐ The certified copy will follow.
12. ☒ The prior application is assigned of record to Wayne State University and The Regents of The University of Michigan.
13. ☐ A \_\_\_\_\_ month extension of time has been submitted in the parent application Serial No. \_\_\_\_\_ in order to establish copendency with the present application.
14. ☐ Also enclosed is/are .
15. ☒ The power of attorney in the prior application is to Lahive & Cockfield, LLP.
  - a. ☐ The power appears in the original papers in the prior application.
  - b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
  - c. ☐ A new power has been executed and is attached.
16. ☒ Address all future communications (May only be completed by applicant, or attorney or agent of record) to DeAnn F. Smith, Esq. at **Customer Number: 000959** whose address is:
 

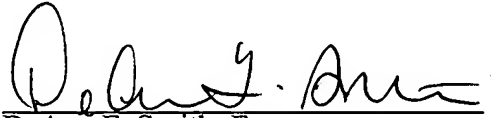
Lahive & Cockfield, LLP  
28 State Street  
Boston, Massachusetts 02109
17. ☒ Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.

18. ☐ Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. \_\_\_\_\_. Please use the computer readable form of application serial no. \_\_\_\_\_ in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. \_\_\_\_\_ are the same.

January 14, 2002

Date

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
Tel. (617) 227-7400s



DeAnn F. Smith, Esq.

Reg. No. 36,683

☐ inventor(s) ☐ filed under §1.34(a)

☐ assignee of complete interest

☒ attorney or agent of record